

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

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|------------------|---|--------------------------|
| DOUGLAS A. DYER, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | |
| |) | No.: 1:21-CV-299-CLC-CHS |
| MICHELLE FULGAM, |) | |
| |) | |
| Respondent. |) | |

O R D E R

Before the Court is Petitioner Douglas A. Dyer's pro se federal habeas petition brought pursuant to 28 U.S.C. § 2241 [Doc. 1], Respondent's motion to dismiss the petition as moot [Doc. 11], and Petitioner's objection to Respondent's motion [Doc. 12]. Upon due consideration, the Court finds that the record should be supplemented prior to ruling on the petition and/or motion to dismiss.

Specifically, the Court notes that during the litigation of this case, Petitioner has amended his petition to request, *inter alia*, credit toward his three-year term of supervised release for the earned-time credits he has acquired under the First Step Act ("FSA") [*See, e.g.*, Docs. 4, 5, and 9]. While Respondent has attached a sentence computation from the Bureau of Prisons ("BOP") showing that earned-time credits were applied to release Petitioner on supervised release as of January 13, 2022, the Court is unable to determine whether the BOP has conducted a calculation of the credits to which Petitioner is entitled, and, if so, whether any earned-time credits have been applied to Petitioner's term of supervised release. Therefore, within thirty (30) days of entry of this Order, the Court **ORDERS** Respondent to supplement the record in this cause with documentation of the earned-time credits the BOP has credited Petitioner under the FSA, and the

calculation of those credits toward Petitioner's custody and/or supervised release. Respondent should explain the mechanics of the computation data to Petitioner's case or advise the Court why such an explanation cannot be provided.

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
UNITED STATES DISTRICT JUDGE